

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-cv-238-MOC-WCM**

BRANDON MOSES,)
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 Plaintiff,)
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 vs.)
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 LPL FINANCIAL LLC,)
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 Defendant.)
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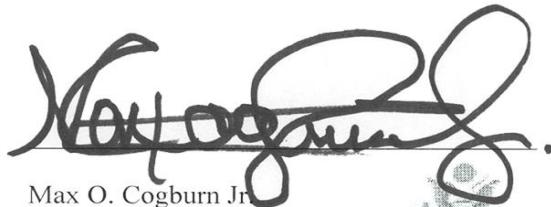
THIS MATTER is before the Court on Defendant's Motion to Dismiss and Compel Arbitration or to Stay Proceeding Pending Arbitration. (Doc. No. 5). In response to the motion, Plaintiff filed a "Notice of Intent Not to File Reply." (Doc. No. 8). In the Notice, Plaintiff states that he "hereby voluntarily agrees to file his claims against LPL Financial, LLC with FINRA Dispute Resolution. Plaintiff also hereby dismisses the claims pending in this Court without prejudice."

The Court construes Plaintiff's responsive pleading as a notice of voluntary dismissal under Rule 41(a)(1) of the Federal Rules of Civil Procedure. This action is therefore dismissed without prejudice. The Clerk's office shall terminate this action.

Because Plaintiff is taking a voluntary dismissal of this action, Defendant's Motion to Dismiss and Compel Arbitration or to Stay Proceeding Pending Arbitration (Doc. No. 5) is **TERMINATED as MOOT.**

IT IS SO ORDERED.

Signed: December 13, 2022



Max O. Cogburn Jr.
United States District Judge